

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

TREY JONES

*

* C.A. No. 2:12-CV-145

VS.

*

*

NUECES COUNTY, TEXAS

*

JIM KAEIN, NUECES COUNTY

*

SHERIFF'S DEPARTMENT, AND

*

NICHOLAS ORTEGA, CHRISTUS

*

Plaintiff Requests a Jury Trial

SPOHN HEALTH SYSTEMS CORP.

*

ADVISORY TO COURT

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, counsel for Trey Jones and files this Plaintiff's Advisory with the Court, and would show the Court as follows:

1. On September 14, 2015, Defendant Nicholas Ortega filed with the Court an Offer of Judgment that counsel for the parties had been discussing for several weeks. Plaintiff must respond to the Notice of Judgment on or before September 24, 2015.

2. Upon receiving the Notice of Judgment, Plaintiff's counsel attempted to contact Plaintiff and was informed that he had been transferred to Matagorda County Jail where he remains incarcerated. Immediately upon receiving the information of Mr. Jones's location, mailed a copy of the Notice of Judgment and a proposed acceptance for him to approve. Plaintiff's counsel will not receive back from Mr. Jones the approved acceptance until after the September 24, 2015, deadline.

3. Defendant's counsel has agreed to extend the time for Plaintiff to respond to the Offer of Judgment from September 24, 2015, to October 17, 2015. Plaintiff anticipates that October 17, 2015, shall allow sufficient time for Plaintiff to return the acceptance of the Offer of Judgment.

WHEREFORE PREMISES CONSIDERED, Plaintiff would advise the court that the parties have agreed to extend Jones's time to respond to the offer of judgment from September 24, 2015, to October 17, 2015.

CERTIFICATE OF SERVICE: This is to certify that a true and correct copy of the foregoing pleading was this date delivered by electronic filing to counsel for Defendant Ortega, Richard W. Rogers, III, Texas Bar 17191200, Federal ID 4452, at 710 Buffalo Street, Suite 202, Corpus Christi, Texas 78401 (361) 888-7629, FAX: (361) 888-7619, e-mail: rwrogersiii@aol.com, on this date September 20, 2015.

WILLIAM H. BERRY, JR.

Attorney in Charge for Plaintiff
Texas Bar 02251000, Federal ID 1155

GAIL D. C. DORN

Attorney Of Counsel for Plaintiff
Texas Bar 06007350, Federal ID 16311
P. O. Box 23064
Corpus Christi, Texas 78403-3064
361-888-5568, No Facsimile
e-mail: berrylaw@sbcglobal.net